



BOSTON  
REGIONAL OFFICE

UNITED STATES  
SECURITIES AND EXCHANGE COMMISSION  
33 ARCH STREET, 24TH FLOOR  
BOSTON, MA 02110-1424

March 27, 2024

VIA ECF

Hon. John G. Koeltl  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl Street  
NY, NY 10007-1312

*The SEC's motion for  
a default against Defendant  
Keasberry (ECF No. 11) is  
withdrawn. The Clerk is directed  
to close that motion.  
So ordered.*

*SEC v. Jonathan Farber, Aatif Jamani, and Brian Keasberry*  
No. 1:24-cv-00273

*JGK  
3/28/24 U.S.D.5*

Dear Judge Koeltl:

The Commission withdraws its motion for default of Defendant Keasberry. Since the Commission filed its March 13, 2024 motion for default (ECF No. 11) and the Court issued its March 15 Order instructing the Commission to file default judgment papers (ECF No. 12), the Commission has had several discussions with Defendant Keasberry's counsel about the status of the litigation. Yesterday, after Keasberry's counsel was admitted pro hac vice, Defendant Keasberry answered the Commission's complaint. (ECF No. 21.) At the time the Answer was filed, it does not appear that a Clerk's certificate of default had been issued. Considering these facts, the Commission does not believe it has adequate basis to proceed with an Order to Show Cause for a Default Judgment against Defendant Keasberry or to file the pleadings identified in the Court's March 15 Order. Accordingly, the Commission withdraws its Motion for Default (ECF No. 11).

In addition, Defendant Jamani's deadline to answer the Commission's complaint is today. The Commission has not been contacted either by Jamani or by counsel currently representing Jamani. Pursuant to the Court's Order dated today (ECF No. 23), the Commission will proceed with a Fed. R. Civ. P. 26(f) conference of the defendants who have answered, and will include Defendant Jamani if he files an Answer. The Commission will file the Fed. R. Civ. P. 26(f) Report by April 10.

The Commission appreciates the Court's attention to this matter.

Sincerely,

/s/ Nita K. Klunder  
Nita K. Klunder  
Marc J. Jones  
Counsel for Plaintiff Securities and  
Exchange Commission

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cc: All counsel of record, by ECF  
Aarif Jamani, by email